

**SOUTH DAKOTA DEPARTMENT OF EDUCATION
SPECIAL EDUCATION PROGRAMS**

**Dakota Valley School District
Continuous Improvement Monitoring Process Report 2004-2005**

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Dates of On Site Visit: January 25 and 26, 2005

Date of Report: January 30, 2005

This report contains the results of the steering committee's self-assessment and the validation of the self-assessment by the Special Education Programs. The report addresses six principles – General Supervision, Free Appropriate Public Education, Appropriate Evaluation, Procedural Safeguards, Individualized Education Program and Least Restrictive Environment. Each principle is rated based on the following scale:

Promising Practice	The district/agency exceeds this requirement through the implementation of innovative, high-quality programming and instructional practices.
Meets Requirements	The district/agency consistently meets this requirement.
Needs Improvement	The district/agency has met this requirement but has identified areas of weakness that left unaddressed may result in non-compliance.
Out of Compliance	The district/agency consistently does not meet this requirement.
Not applicable	In a small number of cases, the standard may not be applicable for your district/agency. If an item is not applicable, the steering committee should briefly explain why the item is NA. Example – no private schools within the district boundaries.

Principle 1 – General Supervision
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General supervision means the school district's administrative responsibilities to ensure federal and state regulations are implemented and a free appropriate public education is provided for each eligible child with a disability. The specific areas addressed in principle one are child find, referral procedures, children voluntarily enrolled by parents in private schools, students placed by the school district, improving results through performance goals and indicators (assessment, drop out, graduation), professional development, suspension and expulsion rates.

Steering Committee Self-Assessment Summary

Data Sources used:

Student Surveys

Parent Surveys
Teacher/Staff Surveys
Administration Surveys
File Review Data
State Data Tables
Comprehensive Plan
School Records
Special Education Forms

Meets requirements

The steering committee reports that the district's child find activities are implemented annually. Teacher Assistant Team meetings are held as needed by teacher request. Dakota Valley has a data driven staff development process. Special education staff analysis of student performance on assessments is one piece of data utilized in the staff development planning. In regard to suspension and expulsion rates, the steering committee reports indicate that no disabled students were suspended or expelled for more than ten days.

Validation Results

Promising practice

The steering committee did not list any promising practices, however through interviews and observation the monitoring team found the following to be promising practices:

1. Dakota Valley uses a variety of educational programs to enhance student success. Among those are Success Maker, used by K-4 three times a week for 30 minutes in math and reading. Fifth grade uses the program three times a week for 30 minutes in math. Accelerated reader is utilized by the district, as well as Reading Recovery and panther Reading groups.
2. Character Counts is used in PreK through 4th. Hy-Vee have partnered with the district for this program.
3. Dakota Valley has a peer mentoring program for high school students who work with middle school and elementary school student. The elementary students were very receptive and worked hard when the mentor was present.
4. Dakota Valley has a Student Responsibility Block for all high school students. They meet in small groups for 90 minutes every other day for specific study groups and to meet with specific teachers.
5. Natural helpers is also a group of 9 thru 12th grade students who are trained as helpers for their peers and make referrals to appropriate staff when needed.
6. There is a discipline committee 9 thru 12th grade that provide ongoing monitoring of student behavior and determines consequences with parent involvement. This program has been successful especially because of the parent involvement.

Meets requirements

The monitoring team agrees with the steering committee data for Principle One, General Supervision as meeting the requirements.

Principle 2 – Free Appropriate Public Education

All eligible children with disabilities are entitled to a free appropriate public education in the least restrictive environment. The specific areas addressed in principle two are the provision of FAPE to children residing in group homes, foster homes, or institutions, making FAPE available when a child

reaches his/her 3rd birthday and providing FAPE to eligible children with disabilities who have been suspended or expelled from school for more than 10 cumulative days.

Steering Committee Self-Assessment Summary

Data Sources Used:

Student Surveys
Parent Surveys
Teacher/Staff Surveys
Administration Surveys
File Review Data
State Data Tables
Comprehensive Plan
School Records
Special Education Forms

Meets requirements

The steering committee reported the provision of a free appropriate public education for all children.

Validation Results

Meets requirements

The monitoring team agrees with the steering committee data for Principle Two, Free Appropriate Public Education as meeting the requirements.

Principle 3 – Appropriate Evaluation

A comprehensive evaluation is conducted by a team of knowledgeable staff, which also includes parental input. A valid and reliable evaluation will result in effective individualized education programs for eligible students. The specific areas addressed in principle three are written notice and consent for evaluation, evaluation procedures and instruments, eligibility determination, reevaluation and continuing eligibility.

Steering Committee Self-Assessment Summary

Data Sources Used:

Student Surveys
Parent Surveys
Teacher/Staff Surveys
Administration Surveys
File Review Data
State Data Tables
Comprehensive Plan
School Records
Special Education Forms

Meets requirement

The steering committee concluded that the district uses a team of people including the referring person, special education teacher, school psychologist and administrator to determine areas to be evaluated. A multidisciplinary team report is developed for all students with learning disabilities. Parents receive

copies of the test results. Those results are explained to the parents and are used to develop the individual education program (IEP).

Needs improvement

The steering committee concluded that in 31 of 34 initial evaluations, sufficient evaluation data was available to determine eligibility. In 12 of 34 initial evaluations, functional assessment was available to determine present levels of performance. In 27 of 34 files reviewed, parent input into the evaluation process was acquired through: phone contacts, parental input forms, emails and meetings. In 3 of 10 high school files that were reviewed with students having two or more assessments, the parents/staff determined that no further evaluation was needed. All areas of suspected disability were evaluated in 30 of 34 student files reviewed.

In 31 of 34 files reviewed, the child was assessed in all areas identified on the prior notice. Parent input into the re-evaluation process was documented in 27 of 34 files reviewed.

Validation Results

Meets Requirements

The monitoring agrees that the district uses a team of people including the referring person, special education teacher, school psychologist and administrator to determine areas to be evaluated. A multidisciplinary team report is developed for all students with learning disabilities. Parents receive copies of test results. Those results are explained to the parents and are used to develop the individual education program (IEP). Students are evaluated to determine eligibility or to determine that services are not required.

Needs improvement

The monitoring team agrees with areas identified as needing improvement with the exception of issues identified under “Out of Compliance”.

Out of compliance

ARSD 24:05:27:04. Determination of related services

In deciding whether a particular developmental, corrective, or other supportive service is a related service, the members of the IEP team shall review the results of the individual evaluations used to determine the child's need for special education. Based on the specific special education services to be provided, the team shall determine whether or not related services are required in order to implement the special education program being recommended.

24:05:27:23. Criteria for occupational therapy. A student may be identified as in need of occupational therapy as a related service if:

- (1) The student has a disability and requires special education;
- (2) The student needs occupational therapy to benefit from special education; and
- (3) The student demonstrates performance on a standardized assessment instrument that falls at least 1.5 standard deviations below the mean in one or more of the following areas: fine motor skills, sensory integration, and visual motor skills.

Six students had occupational therapy as a related service; however during their last three year reevaluation there were no standard scores for occupational therapy. There was a written report referred to as an update for the three year assessment. This update did not include any scores or criteria to meet occupational therapy as a related service, nor was there evidence the team determined and gave notice to the parents of the decision not to evaluate in this area.

ARSD 24:05:04.02 Determination of needed evaluation data

As part of an initial or reevaluation, the individual education program team and other individuals with knowledge and skills necessary to interpret evaluation data, determine what evaluation data is needed to support eligibility and the child's special education needs. Through interviews and file reviews the monitoring team determined parental input into the evaluation process was missing in 11 of 26 files completed prior to the completion of the prior notice.

Issues Requiring immediate Attention

ARDS 24:05:25:06. Reevaluations

24:05:22:03. Certified child. A certified child is a child in need of special education or special education and related services who has received a multidisciplinary evaluation and has an individual education program formulated and approved by a local placement committee. Documentation supporting a child's disabling condition as defined by Part B of the Individuals with Disabilities Education Act must be maintained by the school district for verification of its annual federal child count. This definition applies to all eligible children ages 3 to 21, inclusive, and to only those children under the age of 3 who are in need of prolonged assistance.

The monitoring team identified the following issues:

1. One student with the disability of developmental delay was not evaluated in the areas of personal/social, adaptive, gross or fine motor.
2. One student with the disability of mental retardation did not have an adaptive behavior evaluation completed.
3. One student with the disability of multiple disabilities did not have an adaptive behavior completed for the area of mental retardation.
4. Three students with the disability of other health impaired did not have sufficient data to support the disability. All scores on the BASC were within normal range. Functional evaluations did not show any areas of concern. When checking if behaviors impede learning on the IEP, all stated no.

24:05:24.01:05. Diagnostic procedures for autism. School districts shall refer students suspected as having autism for a diagnostic evaluation to an agency specializing in the diagnostic and educational evaluation of autism or to another multidisciplinary team or group of persons who are trained and experienced in the diagnosis and educational evaluation of persons with autism.

A student suspected of autism must be evaluated in all areas related to the suspected disability, including, where appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities.

The evaluation shall utilize multiple sources of data, including information from parents and other caretakers, direct observation, performance on standardized tests of language/communication and cognitive functioning and other tests of skills and performance, including specialized instruments specifically developed for the evaluation of students with autism.

24:05:24.01:04. Diagnostic criteria for autism. An autistic disorder is present in a student if at least six of the following twelve characteristics are expressed by a student with at least two of the characteristics from subdivision (1), one characteristic from subdivision (2), and one characteristic from subdivision (3):

(1) Qualitative impairment in social interaction, as manifested by at least two of the following:

(a) Marked impairment in the use of multiple nonverbal behaviors, such as eye-to-eye gaze, facial expression, body postures, and gestures, to regulate social interaction;

- (b) Failure to develop peer relationships appropriate to developmental level;
- (c) A lack of spontaneous seeking to share enjoyment, interests, or achievements with other people, such as a lack of showing, bringing, or pointing out objects of interest;
- (d) Lack of social or emotional reciprocity;

(2) Qualitative impairment in communication as manifested by at least one of the following:

- (a) Delay in, or total lack of, the development of spoken language not accommodated by an attempt to compensate through alternative modes of communication, such as gesture or mime;
- (b) In an individual with adequate speech, marked impairment in the ability to initiate or sustain a conversation with others;
- (c) Stereotyped and repetitive use of language or idiosyncratic language;
- (d) Lack of varied, spontaneous make-believe play or social imitative play appropriate to developmental level;

(3) Restricted repetitive and stereotyped patterns of behavior, interests, and activities as manifested by at least one of the following:

- (a) Encompassing preoccupation with one or more stereotyped and restricted patterns of interest that is abnormal either in intensity or focus;
- (b) Apparently inflexible adherence to specific, nonfunctional routines or rituals;
- (c) Stereotyped and repetitive motor mannerisms, such as hand or finger flapping or twisting, or complex whole-body movements;
- (d) Persistent preoccupation with parts of objects.

A student with autism also exhibits delays or abnormal functioning in at least one of the following areas, with onset generally prior to age three: social interaction, language used as a social communication, or symbolic or imaginative play. A student who manifests the characteristics of autism after age three could be diagnosed as having autism if the criteria in this section are satisfied.

Three students did not have documentation of evaluations to support the identified disability of autism. ARSD 24:05:24:01.05 requires an evaluation that utilizes multiple sources of data, including information from parents and other caretakers, direct observation, performance on standardized tests of language/communication and cognitive functioning and other tests of skills and performance, including specialized instruments specifically developed for the evaluation of students with autism. There were no assessments specifically developed for the evaluation of students with autism administered.

The following data was present in the student files:

Student one was given an ability, achievement, Adaptive Behavior Evaluation Scale, Behavior Assessment System for Children, and language.

Student two was given an ability, achievement, and speech and language.

Student three was given an ability, achievement, fine motor, and speech and language.

Principle 4 – Procedural Safeguards

Parents of children with disabilities have certain rights available. The school makes parents aware of these rights and makes sure they are understood. The specific areas addressed in principle four are adult student/transfer of rights, content of rights, consent, written notice, confidentiality and access to records, independent educational evaluation (IEE), complaint procedures, and due process hearings.

Steering Committee Self-Assessment Summary

Data Sources Used:

Student Surveys
Parent Surveys
Teacher/Staff Surveys
Administration Surveys
File Review Data
State Data Tables
Comprehensive Plan
School Records
Special Education Forms

Meets requirements

The steering committee stated the parents were provided with the parent rights booklet in accordance with regulation and district policy 100% of the time. The steering committee noted parents have been fully informed in their native language or another mode of communication of all information relevant to the activity for which consent is sought and a surrogate parent is appointed if no parent can be identified. Parents of children in need of special education and related services are afforded the opportunity to inspect and review all educational records concerning the identification, evaluation and educational placement of the child and the provision of a free appropriate public education. The steering committee reported no complaints have been filed against the district.

Validation Results

Meets requirements

Through the review of data tables and staff interviews, the monitoring team found the district has not had a due process hearing within the last six years. The monitoring team agrees with all areas identified as meeting requirements for procedural safeguards as concluded by the steering committee.

Out of Compliance

ARSD 24:05:30:15-Surrogate Parent

Each school district shall establish procedures for the assignment of a surrogate parent to ensure that the rights of a child are protected if no parent can be identified and the district, after reasonable effort, cannot discover the whereabouts of a parent or if the child is a ward of the state. At a minimum, a district's method for determining whether a child needs a surrogate parent must include the following:

- (1) The identification of staff members at the district or building level responsible for referring students in need of a surrogate parent;
- (2) The provision of in-service training on the criteria in this section for determining whether a child needs a surrogate parent; and
- (3) The establishment of a referral system within the district for the appointment of a surrogate parent.

The district superintendent or designee shall appoint surrogate parents.

The district shall ensure that a person selected as a surrogate has no interest that conflicts with the interest of the child the surrogate represents and has knowledge and skills that ensure representation of the

child. The district is responsible for the training and certification of surrogate parents and shall maintain a list of persons who may serve as surrogate parents.

A district may select as a surrogate a person who is an employee of a nonpublic agency that only provides noneducational care for the child and who meets the conflict of interest and knowledge standards in this section.

A person assigned as a surrogate may not be an employee of a public agency that is involved in the education or care of the child.

A person who otherwise qualifies to be a surrogate under the provisions of this section is not an employee of the agency solely because the person is paid by the agency to serve as a surrogate parent.

The surrogate parent may represent the student in all matters relating to the identification, evaluation, educational placement, and provision of FAPE to the students.

The district superintendent or a designee is responsible for reporting to the placement committee on the performance of the surrogate parent.

Through interviews it was determined that Dakota Valley does not have a list of individuals who would serve as a surrogate parent if needed.

Principle 5 – Individualized Education Program

The Individualized Education Program (IEP) is a written document for a child with a disability that is developed, reviewed and revised by the IEP team, which includes the parent. The specific areas addressed in principle five are IEP team, IEP content, transition components for secondary IEPs, annual reviews, transition from early intervention program, and IEP related issues.

Steering Committee Self-Assessment Summary

Data Sources Used:

Student Surveys
Parent Surveys
Teacher/Staff Surveys
Administration Surveys
File Review Data
State Data Tables
Comprehensive Plan
School Records
Special Education Forms

Meets requirements

The steering committee reports policies and procedures are in place to ensure an IEP is developed and in effect for each eligible student. Regular education teachers attend all meetings. Goals are linked to present levels of performance in 34 of 34 files.

Needs improvement

The steering committee indicated consent needs to document specific summer school dates, areas of need (emerging, maintenance, etc.), goals/objectives to be addressed, and frequency at the time of the IEP

meeting. The school was using a survey for students and parents but it was not a formal evaluation for transition. Formal evaluations will be conducted on future students: Enderle-Severson and the Transition Planning Inventory.

The steering committee concluded that the present levels of performance are linked to functional evaluation in 15 of 33 files reviewed. Functional skills and transition skills are not identified on the present levels of performance for each IEP. Twenty-four of thirty-four IEPs reviewed consistently contained skill based, measurable/observable annual goals.

The steering committee concluded 10 of 34 IEPs reviewed included “as needed” statements on the modification page. Related services necessary to benefit from special education was documented in 20 of 25 files reviewed.

Out of compliance

The steering team concluded that in ten files reviewed, no transition evaluations were conducted to gather information regarding the student’s interests.

Validation Results

Meets requirements

The monitoring team agrees with areas identified as meeting the requirements for the development of an IEP as concluded by the steering committee.

Needs improvement

The monitoring team agrees with areas identified as needing improvement for Principle Five, Individualized Education Program.

Out of compliance

24:05:27:13:02 Transition services

Transition services are a coordinated set of activities for a student designed within an outcome-oriented process, which promotes movement from school to post school activities, including postsecondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation. The coordinated set of activities shall be based on the individual student’s needs, taking into account the student’s preferences and interests, and shall include instruction, related services, community experiences, the development of employment and other post school adult living objectives, and, if appropriate, acquisition of daily living skills and functional vocational evaluation.

24:05:27:13. Modifications to regular vocational program. If modifications to the regular vocational education program are necessary in order for the student to participate in that program, those modifications must be included in the individual educational program. If the student needs a specially designed vocational education program, then vocational education must be described in all applicable areas of the student's individual educational program.

Information regarding the availability of transitional services for students in need of special education or special education and related services at the secondary level shall be provided in a manner comparable to those services offered to students in the regular education program. Vocational and transitional services shall be addressed in a student's individual educational program beginning at the age of 16 or at a younger age as determined by the placement committee.

The monitoring team determined transition did not contain a set of coordinated activities for

students. Two students, ages 14, had no course of study. One student, age 16, had no services listed for transition. Two students, age 16 or older with the eligibility of mental retardation had no goals for transition. They had appropriate transition evaluations; however the needs from the transition evaluation were not addressed in transition services or goals and objectives. Four student files had the parents and student listed as responsible for all activities. No outside agencies were invited to IEP meetings for any student 16 years or older.

Principle 6 – Least Restrictive Environment

Steering Committee Self-Assessment Summary

Data Sources Used:

Student Surveys
Parent Surveys
Teacher/Staff Surveys
Administration Surveys
File Review Data
State Data Tables
Comprehensive Plan
School Records
Special Education Forms

Meets requirements

The steering committee concluded the school district provides procedures for determining placement options using the continuum of alternative placements. LRE considerations are applied to all students' birth through twenty one.

Validation Results

Meets Requirements

The monitoring team agrees with all areas identified as meeting requirements under Principle 6, Least Restrictive Environment.